

EXHIBIT 5

Michael S. Biggs

From: Michael S. Biggs [michaelbiggs@biggslaw.net]
Sent: Thursday, May 22, 2008 9:51 PM
To: 'C.J.Neary'; 'Hans Herb'
Subject: Motion on Injunction

Dear Counsel:

Please take notice that I have e-filed an amended Rule 65 Motion.

The filed copy was incorrect.

Your responsive pleadings should key off of the amended version.

I contacted Traci Sutton Judge Illston's clerk and inquired as to what I should do.

She said to file an amended copy which is what I have done.

I will send each of you a hard copy via Fed-Ex.

I will also not object to adding on extra time for each of you to file your responsive pleading.

Sincerely,

Michael S. Biggs, Esq.